

DIVISION 5 WATER COURT- MARCH 2026 RESUME

(This publication can be viewed in its entirety on the Colorado State Judicial website at: www.coloradojudicial.gov).

1. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3017 EAGLE COUNTY, UTE CREEK, EAGLE RIVER, COLORADO RIVER. CJC Properties Limited Partnership. Attn: Peter C. Joufflas 1000 Black Canyon Way Montrose, CO 81403, (970) 261-0403 c/o Kirsten M. Kurath, Of Counsel, McDonough Law Group, 300 Main St., Suite 102, Grand Junction, CO 81501, (970) 776-3311, kirsten@mcdonoughlawgroup.com APPLICATION FOR A FINDING OF REASONABLE DILIGENCE. Structures: Ute Creek Reservoir No. 1, and Dunington Ditch, Ute Creek Reservoir Enlargement. Decreed: July 27, 2013, Case No. 12CW172, Water Div. No. 5. Subsequent Decrees: March 24, 2020, Case No. 2019CW3077, Water Div. No. 5. Ute Creek Reservoir No. 1 (i) Location: The reservoir is located in the NE1/4 NW1/4 of Section 12, Township 4 South, Range 83 West of the 6th Principal Meridian. The spillway of the dam for the reservoir is located at a point approximately 2,260 feet east of the west section line and 1,214 feet south of the north section line of said Section 12. See map attached to Application as Exhibit A. (ii) Source: Ute Creek Reservoir No. 1 is an off-channel reservoir filled from the following sources, all of which are tributary to Ute Creek, tributary to the Eagle River, tributary to the Colorado River: 1) Small springs and natural runoff occurring above the reservoir, and runoff and return flows from the irrigation of lands above the reservoir, will flow into and be sources for the reservoir. 2) Dunington Ditch, Ute Creek Reservoir Enlargement, described below. 3) Ute Creek Reservoir Spring, described below. (iii) App. Date: August 1, 2012. (iv) Amount: 2.0 acre feet, absolute, together with the right to fill and refill the reservoir when water is available in priority. The right to refill the Ute Creek Reservoir No. 1 shall be for the purpose of replacing evaporation and seepage losses and water used from the reservoir for decreed purposes and shall be limited to an additional 2.0 acre feet. The right to fill and refill remains conditional. (v) Uses: The water in the Ute Creek Reservoir No. 1 will be used for irrigation of lawns, gardens and other landscaping within the Ute Creek PUD, as expanded. The water will also be used for commercial and industrial purposes within the Ute Creek PUD, as expanded, including without limitation washing of vehicles and machinery, watering of recycling and composting facilities, fire suppression, dust suppression and construction compacting. In addition, the water will be for stock watering and wildlife watering. The water used for all of these purposes will be non-potable water. Ute Creek Reservoir No. 1 will be used to supply water to the expanded Ute Creek PUD property, located near Wolcott, Colorado. The Ute Creek PUD was created in 1996 to address the need for industrial storage and staging in the Eagle-Vail Valley. There is a substantial demand for such property in Eagle County. However, the large lot size of the lots in the PUD did not reflect client usage and market demand. Accordingly, in 2006, the owner of the Ute Creek PUD property (a related entity to Applicant) commenced the process with Eagle County to expand and reconfigure the PUD. The goals of the expansion include increasing the number of lots, increasing security by providing for a caretaker and a gated entrance, implementing stricter PUD guidelines, and establishing green industries. The total acreage of the PUD will be increased to approximately 116.4 acres as a result of the expansion. The Ute Creek PUD, after completion of the anticipated reconfiguration and expansion, is shown on Exhibit B attached to the Application. (vi) Dam and Reservoir Information: The surface area of the high water line is 0.34 acres. The maximum vertical height of the dam will be 10 feet and the length of the dam is 470 feet. The reservoir capacity is 2.1 acre feet of which 2.0 acre feet is active capacity. Dunington Ditch, Ute Creek Reservoir Enlargement (i) Location: The decreed point of diversion for the Dunington Ditch, as decreed in C.A. 787, Eagle County District Court, is described as follows: located at a point in the County of Eagle, State of Colorado on the North bank of Ute Creek at a point whence the Northeast (NE) corner of Section Twelve (12), in Township Four (4) South, Range Eighty-three (83) West of the Sixth (6th) Principal Meridian, bears North 65°54' East 2766 feet. The actual point of diversion is located approximately 1,224 feet south of the north section line and 2,797 feet east of the west section line of said Section 12. See Exhibit A. (ii) Source: Ute Creek, tributary to the Eagle River, tributary to the Colorado River. (iii) App. Date: August 1, 2012. (vi) Amount: 0.5 c.f.s., conditional. (v) Uses: The Dunington Ditch, Ute Creek Reservoir Enlargement will be used to fill the Ute Creek Reservoir No. 1, described above. A detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, is contained in the Application. Name and Address of Land Owners: Applicant. Applicant requests that the Court adjudge and decree that the Applicant has been reasonably diligent in the development of the Ute Creek Reservoir No. 1 conditional refill water right and Dunington Ditch, Ute Creek Reservoir Enlargement conditional water right; and that the remaining conditional portions of Ute Creek Reservoir No. 1, and the Dunington Ditch, Ute Creek Reservoir Enlargement water rights, be continued in full force and effect. (8 pages)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

2. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3018 EAGLE COUNTY, CASTLE CREEK, TRIBUTARY TO EAGLE AND COLORADO RIVERS. Kenneth W. Cameron, Kira G. Cameron, c/o Ryan M. Jarvis and Charles N. Simon of JVAM PLLC, 305 Gold River Ct, Ste 200 Basalt CO 81621,

(970) 922-2122, and Renate M. Lilischkies c/o Beth Van Vurst of Van Vurst Law, LLC, 6400 Fiddlers Green Cr., Ste 250, Greenwood Village CO 80111, (720) 664-6442 respectively. Application for Findings of Reasonable Diligence and to Make Partially Absolute. Applicants request a finding of reasonable diligence and to make partially absolute the following water right: Rule Ranch Spring No. 2. Original decree: 82CW286, entered 9/2/1983, Div 5. Subsequent decrees: 87CW159, 93CW167, 99CW250, 10CW97, and 17CW3094. Location: The decreed location of this spring is in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 16 T4S R84W 6th PM, at a point whence the SE corner of said Sec 16 bears S 12°40' E 3,560 ft. According to the records of the DWR, this spring is located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 16 T4S R84W 6th PM, at a point 1,476 ft from the N sec line and 578 ft from the E sec line of said Sec 16. Source: Spring trib. to Castle Creek, trib. to the Eagle River, trib. to the Colorado River. Approp. date: November 19, 1884. Amount: 0.066 cfs (30 gpm), conditional. Uses: Domestic, irrigation and stockwatering. Owner of land: State of Colorado, Board of Land Commissioners, 1127 Sherman Street, Denver, CO 80203. Claim to Make Absolute: Date water applied to beneficial use: 5/15/2020. Amount of water applied to beneficial use: 0.015 cfs (7 gpm). Uses: Irrigation. Location of beneficial use: Parcel D in Highland Meadow Estates at Castle Creek Ranch. Applicants request a finding of reasonable diligence for the conditional water right described as follows: Rule Ranch Spring No. 3 Original decree: 82CW286, entered 9/2/1983, Div 5. Subsequent decrees: 87CW159, 93CW167, 99CW250, 10CW97, and 17CW3094. Location: NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 16 T4S R84W 6th PM, at a point whence the SE corner of said Sec 16 bears S 00°41' E 4,130 ft. According to the records of the DWR, this spring is located in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 16 T4S R84W 6th PM, at a point 989 ft from the N sec line and 330 ft from the E sec line of said Sec 16. Source: Spring trib. to Castle Creek, trib. to the Eagle River, trib. to the Colorado River. Approp. date: 11/19/1984. Amount: 0.066 cfs (30 gpm), conditional. Uses: Domestic, irrigation and stockwatering. Owner of land: State of Colorado, Board of Land Commissioners, 1127 Sherman Street, Denver, CO 80203. Remarks: As described in the stipulation entered into between Co-Applicants and the State Board of Land Commissioners in 17CW3094, Co-Applicants acknowledge that the decreed locations for the Rule Ranch Springs Nos. 2 and 3 ("Springs") are on land owned by the State Board of Land Commissioners ("SLB"). Applicants agree to obtain written permission prior to accessing SLB land. Prior to installing or operating any structures or associated facilities for continued use of the Springs, Applicants agree to secure a Right-of-Way or other written permission from SLB to use the SLB Land for such purposes, which the SLB will process in accordance with its applicable laws, rules and regulations. The Application on file with the Court includes a list of activities demonstrating diligence toward the development of the subject water rights. (8 pages, 2 exhibits). **YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

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26CW3019 PITKIN COUNTY – IN THE ROARING FORK RIVER OR ITS TRIBUTARIES. Morningstar Owners' Association c/o Kevin L. Patrick and John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621 (970) 920-1030. **Appropriative Right of Exchange Project:** Summary of Claim: Applicant will be diverting the exchange water at the combined pump station for the McFarland Ditch water right and the Black Diamond Ditch water right by exchange. The source of the exchange water is a Basalt Water Conservancy District Allotment Contract as follows: the balance of the existing Amended Allotment Contract No. 461 (8.4 af) not used in the Consolidated Case POA (an increase in the Allotment Contract for an additional 7.77 acre feet, presently applied for (cumulatively 16.17 acre feet). Description and Name of Exchange: Morningstar Supplemental Green Mountain Exchange. Location & Description: The exchange reach for the Morningstar Supplemental Green Mountain Exchange is described as follows: Upper terminus (McFarland Black Diamond Pump Station): located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 10 South, Range 84 West of the 6th P.M. at UTM Zone 13 NAD 83 Coordinates X: 345912 and Y:433473)(Pitkin County). Lower terminus: Location of downstream terminus: The confluence of the Roaring Fork and Colorado Rivers, located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 6 South, Range 89 West of the 6th P.M., at a point approximately 2,200 feet from the North section line and 2,350 feet from the West section line (Garfield County; UTM NAD83 Z13 coordinates: Northing – 4380346, Easting – 299776). Source: Water rights owned or controlled by the BWCD in Green Mountain Reservoir and for which Applicant has BWCD Allotment Contract No. 469 for 8.4 acre feet; Applicant is in the process of applying for an increase in its Allotment Contract for a combined total of 16.17 acre feet. The Allotment contract(s) are for the use of a portion of the Basalt Water Conservancy District's water rights. Appropriation date: November 25, 2025. How appropriation was initiated: Construction of pump station, formulation of intent to apply water to beneficial use, application to the BWCD for an Allotment Contract, and filing this Application. Date water applied to beneficial use: N/A. Amount: 2.0 c.f.s., conditional, up to 16.17 acre-feet per year. Use: Exchange to be used for direct irrigation of up to 5.96 acres and the filling of ponds for fire protection purposes and the subsequent piscatorial uses of said ponds. Applicant is not claiming any credit for return flow from irrigation use. Remarks: All appropriative exchanges described herein utilize the same BWCD Contract, include a portion of the Roaring Fork River, and have an upstream terminus at the point of depletion on the Roaring Fork River at or near the pump station described above. At times when the diversion of the exchange water would impact the recreational in-channel water right decreed in Case No. 2010CW305 and that water right is making a valid call during daylight hours, as described in paragraph 24E of that decree, Applicant will not divert the exchange water. Description and Name of Exchange: Morningstar Supplemental Fryingpan Exchange.

Location and Description. The exchange reach for the Morningstar Supplemental Fryingpan Exchange is described below. Lower terminus: The confluence of the Roaring Fork and Fryingpan Rivers, located in the SW ¼ SE ¼ of Section 7, Township 8 S., Range 86 W., of the 6th P.M., at a point 647 feet from the South section line and 1,475 feet from the East section line (Eagle and Pitkin Counties, UTM NAD83 Z13 coordinates: Northing – 4359437, Easting – 324739). Upper terminus (McFarland Black Diamond Pump Station): located at a surveyed location in the SW ¼ of the SW ¼ of Section 28, Township 10 South, Range 84 West of the 6th P.M. at UTM Zone 13 NAD 83 Coordinates X: 345912 and Y:433473) (Pitkin County). A map of this location is depicted on Exhibit A hereto. Source: Water rights owned or controlled by the BWCD in Green Mountain Reservoir and for which Applicant has BWCD Allotment Contract No. 469 for 5.9 acre feet; Applicant is in the process of applying for an increase in its Allotment Contract for a combined total of 16.17 acre feet. The Allotment contract(s) are for the use of a portion of the Basalt Water Conservancy District’s water rights. Appropriation date: November 25, 2025. How appropriation was initiated: Construction of pump station, formulation of intent to apply water to beneficial use, application to the BWCD for an Allotment Contract, and filing this Application. Date water applied to beneficial use: N/A. Amount: 2.0 c.f.s., conditional, up to 16.17 acre-feet per year Use: Exchange to be used for direct irrigation of up to 5.96 acres and the filling of ponds for fire protection purposes and the subsequent piscatorial uses of said ponds. Applicant is not claiming any credit for return flow from irrigation use. Remarks: All Morningstar Exchange Projects utilize the same BWCD Contract, include a portion of the Roaring Fork River, and have an upstream terminus at the point of depletion on the Roaring Fork River of the pump station described above. At times when the diversion of the exchange water would impact the recreational in-channel water right decreed in Case No. 2010CW305 and that water right is making a valid call during daylight hours, as described in paragraph 24E of that decree, Applicant will not divert the exchange water. Description and name of exchange: Morningstar Supplemental Robinson Ditch Exchange. Location and Description: Lower terminus: The point of diversion as decreed is located on the North bank of the Roaring Fork River one-half mile below the mouth of Sopris Creek in Section 11, T. 8 S., R. 87 W., 6th P.M. (Eagle County, UTM NAD83 Z13 coordinates: Northing – 4359863, Easting – 321622). Upper terminus (McFarland Black Diamond Pump Station): located at a surveyed location in the SW ¼ of the SW ¼ of Section 28, Township 10 South, Range 84 West of the 6th P.M. at UTM Zone 13 NAD 83 Coordinates X: 345912 and Y:433473) (Pitkin County). Source: Water rights owned or controlled by the BWCD in Green Mountain Reservoir and for which Applicant has BWCD Allotment Contract No. 469 for 5.9 acre feet; Applicant is in the process of applying for an increase in its Allotment Contract for a combined total of 16.17 acre feet. The Allotment contract(s) are for the use of a portion of the Basalt Water Conservancy District’s water rights that are described in Exhibit C. Appropriation date: November 25, 2025. How appropriation was initiated: Formulation of intent to apply water to beneficial use, application to the BWCD for an Allotment Contract, and filing this Application. Date water applied to beneficial use: N/A. Amount: 2.0 c.f.s., conditional up to 16.17 acre-feet per year Use: Exchange to be used for direct irrigation of up to 5.96 acres and the filling of ponds for fire protection purposes and the subsequent piscatorial uses of said ponds. Applicant is not claiming any credit for return flow from irrigation use. Remarks: All Morningstar Exchange Projects utilize the same BWCD Contract, include a portion of the Roaring Fork River, and have an upstream terminus at the point of depletion on the Roaring Fork River of the pump station described above. Remarks. The conditional appropriative exchange is a component of the McFarland Ditch water right and the Black Diamond Ditch water right both decreed in Case No. 02CW232 to the extent those water rights are used in conjunction with the plan for augmentation described in the Second Claim. At times when the diversion of the exchange water would impact the recreational in-channel water right decreed in Case No. 2010CW305 and that water right is making a valid call during daylight hours, as described in paragraph 24E of that decree, Applicant will not divert the exchange water. Landowner Information: The following persons/entities own the land upon which the structures subject to this application are located. Note: The McFarland Ditch decreed point of diversion and the Black Diamond Ditch decreed point of diversion are each less than 165 feet from the location of the newly constructed McFarland/Black Diamond Pump Station which diverts both water rights. Difficult, LLC, c/o Al Deaton, 408 Little John Ln., Houston, TX 77024.

STRUCTURE	OWNER	ADDRESS
McFarland/Black Diamond Pump Station	Applicant	See application

Integrated Application. This exchange is a component part of an integrated water supply system, including all the water rights decreed in the following list: McFarland Ditch, decreed in Case No. 02CW232 as diverted at the combined pump station described in paragraph 4.A. of the application. Black Diamond Ditch, decreed in Case No. 02CW232 as diverted at the combined pump station described in paragraph 4.A. of the application. Maps and supporting documentation are on file with the court.

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26CW3020 GRAND COUNTY – VASQUEZ CREEK AND LELAND CREEK, TRIBUTARIES TO FRASER AND COLORADO RIVERS. Cornerstone Winter Park Holdings, LLC, c/o Kevin L. Patrick and Jason M. Groves, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim:**

Maryvale K-1a Reservoir; Maryvale K-1b Reservoir; Maryvale K-2 Reservoir; Maryvale J-2 Reservoir; Maryvale J-3 Reservoir; Maryvale E-F Reservoir. Original Decree: December 31, 2002, Case No. 99CW315, Water Division 5. Subsequent diligence decrees: November 11, 2012, Case No. 08CW194; March 29, 2020, Case No. 18CW3185, Water Division 5. Legals: Maryvale K-1a Reservoir: The NW ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M.; Maryvale K-1b Reservoir: The NE ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M.; Maryvale K-2 Reservoir: The NE ¼ NE ¼ and SE ¼ SE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M.; Maryvale J-2 Reservoir: The NE ¼ NE ¼ of Section 29 and NW ¼ NW ¼ of Section 28, Township 1 S., Range 75 W. of the 6th P.M.; Maryvale J-3 Reservoir: The NW ¼ NW ¼ and SW ¼ NW ¼ of Section 28, Township 1 S., Range 75 W. of the 6th P.M.; Maryvale E-F Reservoir: The SE ¼ NW ¼ of Section 28, Township 1 S., Range 75 W. of the 6th P.M. Sources: Vasquez Creek, via deliveries from the Cozens Ditch Priority 66 water right as described in the plan for augmentation decreed in Case No. 98CW41, Water Division 5, and the Cozens Ditch First Enlargement water right as decreed in Case No. 99CW314, Water Division 5; and Leland Creek, via deliveries from the Cozens Ditch Extension water right as decreed in Case No. 99CW314, Water Division 5, tributaries to the Fraser and Colorado Rivers. Appropriation date: September 26, 1986. Amounts: All amounts are conditional with the right to fill and re-fill when water is physically and legally available. Maryvale K-1a Reservoir: 7.0 acre-feet; Maryvale K-1b Reservoir: 5.0 acre-feet; Maryvale K-2 Reservoir: 10 acre-feet; Maryvale J-2 Reservoir: 2.0 acre-feet; Maryvale J-3 Reservoir: 6.0 acre-feet; Maryvale E-F Reservoir: 6.0 acre-feet. Uses: Irrigation, aesthetic, piscatorial, recreation, municipal, commercial, industrial, and augmentation and exchange. As-built legal descriptions and volumes: To date, Applicant has constructed, filled, and put to beneficial use the Maryvale K-1a, K-1b and K-2 Reservoirs in the amounts and at the locations described below. These reservoirs are located in different configurations than originally decreed. The Decree issued in Case No. 08CW194 at paragraph 12 states: "Prior to making any of the subject conditional water rights absolute, Applicants or their successors shall obtain a decree confirming a change of location for any structure that is not located at the originally decreed location." CRS, 37-92-305(3.6)(b) provides that "a water right is deemed to be diverted at its decreed location and not erroneously described if...The physical location of the point of diversion is within five hundred feet of the decreed location." Applicant intends to file a separate application to change the subject water rights to their as-built locations. The locations of the reservoirs are: Maryvale K-1a Reservoir: This structure is a series of three reservoirs, each within 200 feet of one another, located as described below with a total capacity of 3.43 acre-feet. Their as-built locations are: Maryvale K-1a Lower Reservoir: The spillway is located in the NW ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M., at a point approximately 450 feet from the North section line and 2,330 feet from the East section line, with a capacity of 1.40 acre-feet. Maryvale K-1a Middle Reservoir: The spillway is located in the NW ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M., at a point approximately 200 feet from the North section line and 2,240 feet from the East section line, with a capacity of 0.92 acre-foot. Maryvale K-1a Upper Reservoir: The spillway is located in the SW ¼ SE ¼ of Section 20, Township 1 S., Range 75 W. of the 6th P.M., at a point approximately 230 feet from the South section line and 2,234 feet from the East section line, with a capacity of 1.11 acre-feet. Maryvale K-1b and K-2 Reservoirs: The as-built structures are one combined reservoir with a spillway located in the NW ¼ SE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M., at a point approximately 50 feet from the North section line and 1,775 feet from the East section line, with a total capacity of 13.6 acre-feet allocated as described below: Maryvale K-1b Reservoir: 5.0 acre-feet. Maryvale K-2 Reservoir: 8.6 acre-feet. Landowner information: Applicant. Remarks: In Case No. 08CW194, the Court decreed that the Maryvale Detention Ponds are a component part of an integrated water supply project for Applicant's property that includes all water storage rights that are the subject of this Application; the surface water rights decreed in Case No. 99CW314 (diligence in Case No. 08CW193); the groundwater rights decreed in Case No. 99CW313 (diligence in Case No. 08CW192); and the groundwater rights decreed in Case No. 00CW294 (diligence in Case No. 08CW191), all Division 5 Water Court. The Maryvale Detention Pond water rights are subject to the plan for augmentation decreed in Case No. 98CW41, Water Division 5. The municipal use of the Maryvale Detention Pond water rights may be made by Fraser pursuant to the Correction Bargain and Sale Deed dated October 17, 2011 and recorded at Reception No. 2011008600, Grand County Clerk and Recorders. When being filled from the Cozens Ditch Priority 66 water right, the Maryvale Detention Pond water rights may store consumptive use credits and/or direct flows as described in the 98CW41 Decree. Prior to making the Maryvale Detention Pond water rights absolute for any uses involving operational releases (e.g. augmentation or irrigation), Applicant shall install a low-level outlet and gauge rod at each constructed structure. Applicant shall further provide a capacity table related to the gauge rod to the Division 5 Engineer. **Second Claim:** MR-1 Reservoir. MR-2 Reservoir. MR-3 Reservoir. MR-4 Reservoir (collectively the "MR Ponds"). Description of conditional water rights: Original decree: December 31, 2002; Case No. 99CW315, Division 5 Water Court. Subsequent diligence decrees: November 11, 2012; Case No. 08CW194; March 29, 2020, Case No. 18CW3185, Water Division 5. Decreed legal descriptions: MR-1 Reservoir: The SE ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M. MR-2 Reservoir: The SE ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M. MR-3 Reservoir: The SW ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M. MR-4 Reservoir: The NW ¼ NE ¼ of Section 29, Township 1 S., Range 75 W. of the 6th P.M. Sources: Vasquez Creek, tributary to the Fraser and Colorado Rivers, via deliveries from the Cozens Ditch First Enlargement water right as decreed in Case No. 99CW314, Division 5 Water Court. Leland Creek, tributary to the Fraser and Colorado Rivers, via deliveries from the Cozens Ditch Extension water right as decreed in Case No. 99CW314, Water Division 5. Appropriation date: December 31, 1999. Decreed amounts: Each reservoir is decreed for 10 acre-feet conditional with the right to fill and re-fill when water is physically and legally available. Uses: Irrigation, aesthetic, piscatorial, recreation, municipal, commercial, industrial, and augmentation and exchange. As-built legal descriptions and volumes: The Decree issued in Case No 08CW194 at paragraph 12 states: "Prior to making any of the subject conditional water rights absolute, Applicants or their successors shall obtain a decree confirming a change of location for any structure that is not located at the originally decreed location." Applicant intends to file a change of water rights application transferring certain water rights to the locations described as "as-Built" locations in Case No. 18CW3185. Claim for finding of reasonable diligence: Remarks: In Case No. 08CW194, the Court decreed that the MR Ponds are a component part of an

integrated water supply project for Applicant's property that includes all water storage rights that are the subject of this Application; the surface water rights decreed in Case No. 99CW314 (diligence in Case No. 08CW193); the groundwater rights decreed in Case No. 99CW313 (diligence in Case No. 08CW192); and the groundwater rights decreed in Case No. 00CW294 (diligence in Case No. 08CW191), all Division 5 Water Court. The MR Pond water rights are subject to the plan for augmentation, including appropriative rights of exchange, decreed in Consolidated Case Nos. 14CW3097 and 14CW3098, Division 5 Water Court. Prior to making the MR Pond water rights absolute, Applicant shall obtain a decree confirming a change of location for any structure that is not located at its originally decreed location. Any such claim for change of location shall include the full PLSS legal description of each constructed structure, tied to a specific location on the structure such as the right or left abutment, upstream or downstream end of the outlet, outlet operator, etc. Prior to making the MR Pond water rights absolute, Applicant shall provide the Division 5 Engineer with as-built dimensions of each constructed structure that include dam height and length, surface area, and dead and active storage. Prior to making the MR Pond water rights absolute for any uses involving operational releases (e.g. augmentation or irrigation), Applicant shall install a low-level outlet and gauge rod at each constructed structure. Applicant shall further provide a capacity table related to the gauge rod to the Division 5 Engineer. Maps and supporting documentation are on file with the court.

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5. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3022 GRAND COUNTY – FRASER RIVER OR ITS TRIBUTARIES. Byers View Metropolitan District; Cornerstone Winter Park Holdings, LLC, c/o Kevin L. Patrick and Jason M. Groves, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. **First Claim:** Cornerstone Winter Park Project Exchange. Original decree: March 6, 2006, Case No. 01CW357, Water Division 5. Subsequent diligence decrees: August 25, 2013, Case No. 12CW49; March 29, 2020, Case No. 19CW3106, Water Division 5. Legal: Upper termini: RC Pump and Pipeline HG1: The decreed location of the headgate is the NE ¼ NE ¼ of Section 18, Township 1 S., Range 75 W. of the 6th P.M., at a point whence the NE Corner of said Section 18 bears North 35°22'49" E. a distance of 1,260.2 feet (Grand County). The PLSS is a point approximately 1,005 feet from the North section line and 711 feet from the East section line of said Section 18. RC Pump and Pipeline HG2: The decreed location of the headgate is the NE ¼ NE ¼ of Section 18, Township 1 S., Range 75 W. of the 6th P.M., at a point whence the NE Corner of said Section 18 bears North 37°22'48" E. a distance of 1,355.2 feet (Grand County). The PLSS is a point approximately 1,055 feet from the north section line and 803 feet from the east section line of said Section 18. Maryvale Reservoir: The decreed location of the initial point of survey of the high water line is at a point whence the West Quarter Corner of Section 28, Township 1 S., Range 75 W. of the 6th P.M. bears South 51°10' W. a distance of 1,253.8 feet, with the reservoir being located in the S ½ NW ¼ of said Section 28 (Grand County). The PLSS location is at a point approximately 1,827 feet from the North section line and 965 feet from the West section line. Lower termini: Wolford Mountain Reservoir: as decreed in Case Nos. 87CW283, 95CW281, and 98CW237, Water Division 5. Case No. 87CW283: The dam is located in the SW ¼ NE ¼ of Section 25, Township 2 N., Range 81 W. of the 6th P.M. The intersection of the dam axis with the right abutment occurs at a point that bears West 54°54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25. Case Nos. 95CW281 and 98CW237: The dam is located in the SE ¼ NE ¼ of Section 25, Township 2 N., Range 81 W. of the 6th P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+50.55) as shown on the Colorado River Water Conservation District Wolford Mountain Project Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94 occurs at a point that bears South 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of Section 25, the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being South 75°28'29" E. (Grand County). Ruedi Reservoir: Located in Sections 7, 8, 9, 11, and 14-18, Township 8 S., Range 84 W. of the 6th P.M. (Eagle and Pitkin Counties). Sources: Wolford Mountain Reservoir: Muddy Creek and its tributaries, tributary to the Colorado River. Ruedi Reservoir: Fryingspan River, tributary to the Roaring Fork River and Colorado River. Appropriation Date: May 15, 2001. Amount: 5.0 c.f.s. conditional. The subject exchange and the Byers Peak Properties Lower Basin Exchange are cumulatively limited to 160 acre-feet annually per the decree entered in Consolidated Case Nos. 14CW3097 and 14CW3098, Water Division 5. Uses: Exchange by diversion or storage of water for municipal, commercial, domestic, irrigation, recreation, and augmentation and exchange purposes. Specifically, water shall be stored for release in satisfaction of the requirements of the plan for augmentation decreed in Case No. 98CW41, Water Division 5; for replacement of additional Cornerstone Winter Park Project/Rendezvous Project depletions; to fill and re-fill storage; for direct use of supplemental golf course irrigation, open space irrigation uses, and all other uses decreed to the RC Pump and Pipeline HG1 and RC Pump and Pipeline HG2 in Case No. 01CW358, Water Division 5; and for all other uses decreed to the Maryvale Reservoir in Case No. W-462, Water Division 5. Place of use: The decree in Case No. 01CW357 described the place of use to be the Cornerstone Winter Park/Rendezvous Project, which may be increased or decreased, but shall all be contiguous. Irrigation shall be limited to up to 200 acres of lawn, open spaces, and golf courses located within the current boundaries of Grand Park Development. Landowner information: (RC Pump and Pipeline HG1 and HG2) Robert B. & Gloria I. Jones Living Trust Dated 6/30/09, c/o Robert Jones, Trustee, 7326 N. Blythe

Ave., Fresno, CA 93722-9802; and the Town of Fraser, 153 Fraser Avenue / P.O. Box 370, Fraser, CO 80442. The owner of the land upon which Maryvale Reservoir is located is Rendezvous Colorado, LLC, 5291 E. Yale Avenue, Denver, CO 80222. The owners of the land upon which water will be stored and put to beneficial use are Applicant Cornerstone; Grand Park Development, LLC, P.O. Box 30, Winter Park, CO 80482; Byers Peak Properties, LLC, P.O. Box 30, Winter Park, CO 80482; Byers Peak Downhill Properties, LLC, P.O. Box 30, Winter Park, CO 80482; and Rendezvous Colorado, LLC, 5291 E. Yale Avenue, Denver, CO 80222. Remarks: The Cornerstone Winter Park Exchange is a component part of an integrated water supply project for the properties shown on Exhibit B on file with the Court, along with the Cozens Ditch decreed in Civil Action 112, Grand County District Court; the Cozens Ditch Leland Creek Enlargement and Maryvale Reservoir decreed in Case No. W-462; and all water rights decreed in and that are the subject of Case Nos. 83CW362, 98CW41, 98CW176, 99CW313, 99CW314, 99CW315, 00CW294, 01CW358; and Consolidated Case Nos. 14CW3097 and 14CW3098, Water Division 5. Maps and supporting documentation are on file with the court.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

6. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3023 GRAND COUNTY – FRASER RIVER, TRIBUTARY TO COLORADO RIVER. Byers View Metropolitan District; Cornerstone Winter Park Holdings, LLC, c/o Kevin L. Patrick and Jason M. Groves, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim:** RC Pump and Pipeline HG1 and RC Pump and Pipeline HG2. Original decree: March 1, 2006, Case No. 01CW358, Water Division 5. Subsequent diligence decrees: August 25, 2013, Case No. 12CW50; March 29, 2020, Case No. 19CW3107, Water Division 5. Legal: RC Pump and Pipeline HG1: NE ¼ NE ¼ of Section 18, Township 1 S., Range 75 W. of the 6th P.M., at a point whence the NE Corner of said Section 18 bears North 35°22'49" E. a distance of 1,260.2 feet (Grand County). The PLSS is a point approximately 1,005 feet from the North section line and 711 feet from the East section line of said Section 18. RC Pump and Pipeline HG2: NE ¼ NE ¼ of Section 18, Township 1 S., Range 75 W. of the 6th P.M., at a point whence the NE Corner of said Section 18 bears North 37°22'48" E. a distance of 1,355.2 feet (Grand County). The PLSS is a point approximately 1,055 feet from the north section line and 803 feet from the east section line of said Section 18. Source: Fraser River, tributary to Colorado River. Appropriation Date: May 15, 2000. Amount: 5.0 c.f.s. conditional, cumulative between the RC Pump and Pipeline HG1 and HG2. Uses: Domestic, municipal, irrigation, commercial, industrial, fire protection, augmentation and exchange, and delivery of water to storage. Municipal use shall be limited to diversions pursuant to Cornerstone Winter Park Project Exchange decreed in Case No. 01CW357. Augmentation and exchange use shall be made pursuant to augmentation plan decreed in Case No. 98CW41; Cornerstone Winter Park Project Exchange decreed in Case No. 01CW357; Byers Peak Properties Upper Basin Exchange and augmentation plan decreed in Consolidated Case Nos. 14CW3097 and 14CW3098; and any future plan for augmentation or exchange involving this structure and water right. Water delivered into storage shall be at the Maryvale Reservoir decreed in Case No. W-462; the Maryvale K-1a Reservoir, Maryvale K-1b Reservoir, Maryvale K-2 Reservoir, Maryvale J-2 Reservoir, Maryvale J-3 Reservoir, Maryvale E-F Reservoir, MR-1 Reservoir, MR-2 Reservoir, MR-3 Reservoir, and MR-4 Reservoir, all decreed in Case No. 99CW315; the CWP-FM Reservoir decreed in Case No. 05CW287; the Byers Peak Properties Pond System decreed in Case No. 10CW309; and any future reservoir legally designated to fill from this structure and water right. Place of use: The decree in Case No. 01CW358 described the place of use to be the Cornerstone Winter Park/Rendezvous Project, which may be increased or decreased, but shall all be contiguous. The irrigation use shall be limited to up to 200 acres of lawn, open spaces, and golf courses located within the current boundaries of the Grand Park Development. Landowner information: (RC Pump and Pipeline HG1 and HG2) Robert B. & Gloria I. Jones Living Trust Dated 6/30/09, c/o Robert Jones, Trustee, 7326 N. Blythe Ave., Fresno, CA 93722-9802; and the Town of Fraser, 153 Fraser Avenue / P.O. Box 370, Fraser, CO 80442. The owners of the land upon which water will be stored and put to beneficial use are Applicant Cornerstone; Grand Park Development, LLC, P.O. Box 30, Winter Park, CO 80482; Byers Peak Properties, LLC, PO Box 30, Winter Park, CO 80482; Byers Peak Downhill Properties, LLC, P.O. Box 30, Winter Park, CO 80482; and Rendezvous Colorado, LLC, 5291 E. Yale Ave. Denver, CO 80222. Remarks: The RC Pump and Pipeline HG1 and HG2 are component parts of an integrated water supply project for the properties shown on Exhibit B on file with the Court, along with the Cozens Ditch decreed in Civil Action 112; the Cozens Ditch Leland Creek Enlargement and Maryvale Reservoir decreed in Case No. W-462; and all water rights decreed in Case Nos. 83CW362, 98CW41, 98CW176, 99CW313, 99CW314, 99CW315, 00CW294, 01CW357, and Consolidated Case Nos. 14CW3097 and 14CW3098. Maps and supporting documentation are on file with the court.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

7. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3024 GARFIELD COUNTY - COLORADO RIVER; Running Water Ranch, LLC; c/o John R. Pierce, DUFFORD WALDECK, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; APPLICATION TO MAKE ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE; Name, address, and telephone number of Applicant: Running Water Ranch, LLC; Ken and Torie Hardee, 4755 Sebring Circle, Gulfport, MS 39501, (770) 712-8049; Request to make absolute and for a finding of reasonable diligence: Name of structure: Hardee Pond No. 1; Description of conditional water right: Original decree: 18CW3218; March 24, 2020; Water Division 5; Legal description: SE/4 of the SE/4 of Section 35, Township 5 South, Range 102 West, 6th P.M. at a point 428 feet from the south section line and 1,152 feet from the east section line; Source: Trail Canyon, tributary to East Salt Creek, tributary to Colorado River; Appropriation date: September 13, 2018; Amount claimed: 0.61 a.f. conditional (in addition to 0.11 a.f. made absolute in Case No. 18CW3218); Uses: Wildlife watering, stock watering, piscatorial, fire protection, and recreation; Surface area of high-water line: Vertical height of dam: less than 10 feet; Length of dam: 230 feet; Total capacity: Dead storage: 0.72 a.f.; Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed during the previous diligence period: During the subject diligence period, Applicant has continued to operate, maintain, and utilize Hardee Pond No. 1. At least twice during the diligence period Applicant used excavation equipment to remove accumulated sediment, silt, and debris from the pond basin. These efforts have maintained the structural integrity of the reservoir and increased its capacity to 0.29 acre feet. The water stored in Hardee Pond No. 1 has been available for piscatorial use and applied to beneficial use for wildlife watering, stock watering, fire protection, and recreation, consistent with decreed uses. Applicants lease the subject property for grazing during May through October, and approximately 36 head of cattle utilized the property during the most recent grazing season, with Hardee Pond No. 1 serving as a consistent and reliable water source for stock watering. Applicant also enters into a beehive placement agreement with a beekeeper to place 6 hives on the property each summer. In addition, the Pond provides a consistent water source for wildlife including avian species, tiger salamanders, and large mammals. Hardee Pond No. 1 is available for use during fire suppression efforts and has been utilized to that effect at least once by fire personnel for the pre-treatment of nearby historic structures. Based on the maintained condition and capacity of the reservoir, the continued impoundment of water, and the ongoing beneficial use of such water, Applicant has demonstrated that Hardee Pond No. 1 has been filled, has stored water up to its enlarged capacity of 0.29 a.f., and that such stored water has been beneficially used. Accordingly, Applicant requests that an additional 0.18 acre feet be made absolute (for a total of 0.29 a.f. absolute) and for a finding of diligence for the remaining decreed 0.43 a.f.; If claim to make absolute in whole or in part: Date water applied to beneficial use: June 30, 2018; Amount: 0.18 a.f. (in addition to 0.11 a.f. made absolute in Case No. 18CW3218, for a total absolute amount of 0.29 a.f. with 0.43 a.f. remaining conditional); Uses: Wildlife watering, stock watering, piscatorial, fire protection, and recreation; Request for a finding of reasonable diligence: Name of structure: Hardee Pond No. 2; Description of conditional water right: Original decree: 18CW3218; March 24, 2020; Water Division 5; Legal description: SE/4 of the NW/4 of Section 35, Township 5 South, Range 102 West, 6th P.M. at a point 2,436 feet from the north section line and 2,365 feet from the west section line; Source: Trail Canyon, tributary to East Salt Creek, tributary to Colorado River; Appropriation date: September 13, 2018; Amount claimed: 1.33 a.f. conditional (in addition to the 0.29 a.f. made absolute in Case No. 18CW3218); Uses: Wildlife watering, stock watering, piscatorial, fire protection, and recreation; Surface area of high-water line: 0.20 acres; Vertical height of dam: less than 10 feet; Length of dam: 200 feet; Total capacity: 1.62 a.f.; Active capacity: 0.69 a.f.; Dead storage: 0.93 a.f.; Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed during the previous diligence period: During the subject diligence period, Applicant has regularly maintained and undertaken work to improve Hardee Pond No. 2, including removing accumulated silt, mud, and debris and ensuring structural integrity of the dam, and continues to plan to enlarge the pond to its decreed volume. The pond has continued to impound water to be available for decreed piscatorial and fire protection uses and used to support the decreed beneficial uses of wildlife watering, stock watering, and recreation. Applicant leases the subject property for grazing from May through October, and approximately 36 head of cattle utilized the property during the most recent grazing season. Hardee Pond No. 2 provides a consistent available water source for stock during this time period. Applicant also enters into a beehive placement agreement with a beekeeper to place 6 hives on the property each summer. The pond also provides a reliable water source for wildlife, including avian species, amphibians such as tiger salamanders, and large mammals. Applicant has further made Hardee Pond No. 2 available as a water source for fire protection purposes and utilizes it for recreation such as hunting. Although the pond has continued to impound water and support the decreed beneficial uses, due to hydrologic conditions, the pond has not yet filled beyond the currently decreed absolute volume. Applicant plans to enlarge the pond to its decreed capacity. Accordingly, Applicant requests a finding of reasonable diligence and that the remaining 1.33 a.f. conditional water right be continued; Request for finding of reasonable diligence: Name of structure: Hardee Pond No. 3; Description of conditional water right: Original decree: 18CW3218; March 24, 2020; Water Division 5; Legal description: NE/4 of the SE/4 of Section 26, Township 5 South, Range 102 West, 6th P.M. at a point 1,606 feet from the south section line and 142 feet from the east section line; Source: Unnamed tributary to Trail Canyon, tributary to East Salt Creek, tributary to Colorado River; Appropriation date: September 13, 2018; Amount claimed: 3.10 a.f. conditional (in addition to the 0.21 a.f. made absolute in Case No. 18CW3218); Uses: Wildlife watering, stock watering, piscatorial, fire protection, and recreation; Surface area of high-water line: 0.35 acres; Vertical height of dam: less than 10 feet; Length of dam: 290 feet; Total capacity: 3.31 a.f.; Active capacity: 1.76 a.f.; Dead storage: 1.55 a.f.; Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed during the

previous diligence period: During the subject diligence period, Applicant has regularly maintained and undertaken work to improve Hardee Pond No. 3, including removing accumulated silt, mud, and debris and ensuring structural integrity of the dam, and plans to enlarge Hardee Pond No. 3. These efforts have preserved its ability to impound water. Hardee Pond No. 3 has been filled to the spillway, maintaining a pool sufficiently deep to support full immersion of large livestock. The water stored in Hardee Pond No. 3 has been applied to beneficial use for stock watering, wildlife watering, and fire protection, consistent with the decreed uses. Applicants lease the subject property for grazing from May through October, and Hardee Pond No. 3 provides a reliable source of water available for stock watering in connection with those grazing operations. The pond also provides a reliable water source for wildlife. Applicant also enters into a beehive placement agreement with a beekeeper to place 6 hives on the property each summer. Applicant has further made Hardee Pond No. 3 available as a water source for fire protection purposes. Although the pond has continued to impound water and support the decreed beneficial uses, due to hydrologic conditions, the pond has not yet filled beyond the currently decreed absolute volume. Accordingly, Applicant requests a finding of reasonable diligence and that the remaining 3.10 a.f. conditional water right be continued (in addition to the 0.21 a.f. made absolute in Case No. 18CW3218); Request to make absolute or for finding of reasonable diligence; Names of structures: Hardee Springs Nos. 3 - 8; Description of conditional water right: Original decree: 18CW3218; March 24, 2020; Water Division 5; Legal description: Hardee Springs Nos. 3 - 5 are located in Section 35, Township 5 South, Range 102 West, 6th P.M. Hardee Springs Nos. 6 - 8 are located in Section 26, Township 5 South, Range 102 West, 6th P.M. Following are the distances of each spring from the section lines of Section 35 and 26:

<i>Spring No.</i>	<i>Section Quarters</i>	<i>Distance from North or South Section Line</i>	<i>Distance from East or West Section Line</i>
3	SE/4 of the NW/4	1,729 feet from the north section line	1,749 feet from the west section line
4	SE/4 of the NW/4	2,039 feet from the north section line	1,555 feet from the west section line
5	NE/4 of the NW/4	662 feet from the north section line	570 feet from the east section line
6	SE/4 of the SE/4	734 feet from the south section line	506 feet from the east section line
7	SE/4 of the SE/4	764 feet from the south section line	577 feet from the east section line
8	NE/4 of the SE/4	1,505 feet from the south section line	300 feet from the east section line

Source: The source for Hardee Springs Nos. 3 - 8 is an unnamed tributary to Trail Canyon, tributary to East Salt Creek, tributary to Colorado River; Appropriation dates for Hardee Springs Nos. 3 - 8: September 13, 2018; Amounts and uses claimed for Hardee Springs Nos. 3 - 8: Amount: 0.01 c.f.s. conditional; Uses: Wildlife and stock watering; Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed during the previous diligence period: During the subject diligence period, Applicant has continued to maintain and improve Hardee Springs Nos. 3 - 8 and has placed the remaining conditional water rights to beneficial use. Applicant reports that each of these springs continues to produce flow, including during periods of drought. Applicant has regularly maintained Hardee Springs Nos. 3 and 4 by clearing debris and sediment from the points of emergence. Applicant has also constructed a small collection area at these springs, approximately eight by ten feet in size and approximately two feet deep, to allow water to pool and support the decreed beneficial uses. Applicant has also undertaken regular efforts to maintain and improve Hardee Springs Nos. 5 - 7. Springs Nos. 5, 6, and 7 emerge within a meadow area, where Applicant has constructed small impoundments with a compacted earthen embankment on the downhill side and a defined overflow channel to allow excess water to exit and continue downstream where it is placed to beneficial use. Applicant has also installed a drainpipe at the impoundment for Hardee Springs No. 5 to facilitate the controlled release of overflow water. These features are periodically maintained, including removal of accumulated debris approximately every one to two years, to preserve the functionality of the system. Hardee Springs No. 8 flows into a collection system where it is combined with flows from the other springs. Applicant has maintained the surrounding area to ensure that this flow remains unobstructed and continues to combine with and contribute to downstream uses. Through the foregoing activities, Applicant has maintained and improved the spring sources and associated collection features, ensuring that water is captured, conveyed, and applied to beneficial use in accordance with the decreed rights. These activities demonstrate a continuing source of supply and constitute reasonable diligence in the development and operation of the conditional water rights. Based on the continued flow of Hardee Springs Nos. 3 - 8, the construction and maintenance of collection and conveyance features at each source, and the application of such water to beneficial use, Applicant has demonstrated that these springs have been developed and utilized in accordance with the decreed rights. Accordingly, Applicant requests a finding of diligence with regard to any conditional amounts not made absolute in this decree; If claim to make absolute in whole or in part (for Hardee Springs Nos. 3 - 8): Date water applied to beneficial use: September 1, 2023; Amount: 0.01 c.f.s.; Uses: Wildlife and stock watering. (9 pages)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's

attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

8. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3026 (19CW3059, 12CW103, 04CW155) EAGLE COUNTY - EAGLE RIVER AND ITS TRIBUTARIES. G. Jouflas Ranches, LLC, 113 Mira Monte Rd., Grand Junction, CO 81507. Please direct all correspondence to Applicant’s attorney: William H. Caile, Esq., Holland & Hart LLP, 555 17th Street, Suite 3200, P.O. Box 8749, Denver, CO 80201-8749, Telephone: (303) 295-8000; Email: whcaile@hollandhart.com. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE 2. Names of Structures: A. Springs: Jouflas Spring Nos. 15, 23, 29, 36, 44, 45, 50, and 51; George Jouflas Spring Nos. 1 and 2; O.W. Spring. B. Wells: Wyatt Well Nos. 775(2) and 782(8); Vail Spring Well Nos. 1, 2, 3, and 4. C. Ponds: Jouflas Pond; Greg Jouflas Pond; John Jouflas Pond; Miranda Pond; Dry Lake; George Jouflas Pond. Maps depicting the location of the subject conditional water rights are on file with the Water Court as Exhibits A-1 and A-2. 3. Previous Decree Finding Reasonable Diligence: Case No. 19CW3059, Water Division 5, decree dated March 29, 2020. 4. Description of Conditional Water Rights from Previous Decree: A. Jouflas Spring Nos. 15, 23, 29, 36, 44, 45, 50 and 51 (hereinafter, the “Jouflas Springs”): i. Original Decree: Case No. 91CW155, Water Division 5, February 10, 1992. Diligence decrees were previously entered in Case No. 98CW28, Consolidated Case No. 04CW155, Case No. 12CW103, and Case No. 19CW3059 (Water Division 5). ii. Location:

STRUCTURE	TOWNSHIP, SECTION QUARTER	RANGE,	DISTANCE FROM SOUTH SECTION LINE	DISTANCE FROM EAST SECTION LINE
Jouflas Spring No. 15 See Exhibit A-2	4 S 83 W S 16 SWSE		1100	1850
Jouflas Spring No. 23 See Exhibit A-2	4 S 83 W S 20 NENE		5100	1000
Jouflas Spring No. 29 See Exhibit A-2	4 S 83 W S 22 NWNE		4250	2550
Jouflas Spring No. 36 See Exhibit A-1	4 S 83 W S 27 SWSW		150	4400
Jouflas Spring No. 44 See Exhibit A-1	4 S 83 W S 28 NESE		1700	540
Jouflas Spring No. 45 See Exhibit A-1	4 S 83 W S 28 SWNE		2750	1600
Jouflas Spring No. 50 See Exhibit A-1	4 S 83 W S 34 NWNW		4200	4200
Jouflas Spring No. 51 See Exhibit A-1	4 S 83 W S 34 NWNW		4650	4100

iii. Source: Springs tributary to Eagle River or unnamed tributaries to Eagle River, tributary to the Colorado River. iv. Appropriation Date: August 15, 1991. v. Remaining Conditional Amounts:

STRUCTURE	AMOUNT REMAINING CONDITIONAL
Jouflas Spring No. 15	0.5 cubic feet per second (“c.f.s.”) for domestic, commercial, and irrigation; 0.3 c.f.s. for wildlife; 0.333 c.f.s. for storage, fire protection, recreation, and piscatorial. This spring fills the Margaret Pond adjudicated in Case No. 94CW82.
Jouflas Spring No. 23	1.5 c.f.s. for domestic and irrigation; 1.467 c.f.s. for wildlife; 1.4 c.f.s. for storage, fire protection, commercial, recreation, piscatorial. This spring fills Trail Pond adjudicated in Case No. 94CW82.
Jouflas Spring No. 29	1.0 c.f.s. for domestic; 0.967 c.f.s. for wildlife, storage, fire protection, commercial, recreation, piscatorial, and irrigation. This spring is used at the Lazy J Ranch and the Vail Rod and Gun Club and fills a pond.

Jouflas Spring No. 36	0.5 c.f.s. for domestic, fire protection, commercial, recreation, piscatorial, storage, and irrigation; 0.429 c.f.s. for wildlife. This spring fills a small stock pond.
Jouflas Spring No. 44	0.5 c.f.s. for domestic, fire protection, commercial, recreation, piscatorial, storage, and irrigation; 0.467 c.f.s. for wildlife.
Jouflas Spring No. 45	1.5 c.f.s. for domestic, commercial, recreation, and irrigation; 1.367 c.f.s. for wildlife; 1.4 c.f.s. for piscatorial, storage, recreation, and fire protection. This spring fills Miranda Pond adjudicated in Case No. 91CW154.
Jouflas Spring No. 50	1.5 c.f.s. for domestic, commercial, recreation, piscatorial, and irrigation; 1.467 c.f.s. for wildlife; 1.493 c.f.s. for storage and fire protection. This spring fills Upper and Lower Travis Pond, decreed in Case No. 94CW82.
Jouflas Spring No. 51	1.0 c.f.s. for domestic, commercial, recreation, piscatorial, and irrigation; 0.967 c.f.s. for wildlife; 0.993 c.f.s. for storage and fire protection. This spring fills Upper and Lower Travis Pond, decreed in Case No. 94CW82.

vi. Decreed Conditional Uses: Domestic, fire protection, commercial, recreation, piscatorial, storage, wildlife, and irrigation. B. Wyatt Well Nos. 775(2) and 782(8): i. Original Decree: Case No. W-3895, Water Division No. 5, April 15, 1982. Diligence Decrees were previously entered in Case Nos. 86CW110, 92CW68, 98CW157, Consolidated Case No. 04CW155, and Case No. 12CW103 (Water Division No. 5). ii. Location: (1) Wyatt Well No. 775(2): located at SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, T4S, R83W of the 6th P.M. at a point whence the NE Corner of said Sec. 27 bears N. 65°09'19" E. 3,845.97 feet. Also described as being in the SE 1/4 of the NW 1/4 of Sec. 27, T. 4S, R. 83 W. of the 6th P.M., at a point 1670 feet from the North Section Line and 1800 Feet from the West Section Line of said Section 27. See Exhibit A-1. (2) Wyatt Well No. 782(8): located at SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T4S, R83W of the 6th P.M. at a point whence the SE Corner of said Sec. 22 bears S. 76°29'04" E. 5,278.31 feet. Also described as being in the SW 1/4 of the SW 1/4 of Sec. 22, T. 4S, R. 83W of the 6th P.M., at a point 1160 feet from the South Section Line and 120 Feet from the West Section Line of said Section 22. See Exhibits A-1 and A-2. iii. Decreed Source and Depth: (1) Wyatt Well No. 775(2): Depth is 140 feet; ground water tributary to Travis Creek, tributary to Eagle River. (2) Wyatt Well No. 782(8): Depth is 60 feet; ground water tributary to the Eagle River, tributary to Colorado River. iv. Appropriation Date: (1) Wyatt Well No. 775(2): April 26, 1978. (2) Wyatt Well No. 782(8): June 11, 1978. v. Amount: 0.033 cfs for each well. vi. Decreed Conditional Uses: (1) Wyatt Well No. 775(2): Domestic, irrigation, commercial. (2) Wyatt Well No. 782(8): Domestic, irrigation. vii. The right to withdraw water from the Subject Wells is subject to the terms and conditions of the Decree in Case No. W-3895, Water Division No. 5, including without limitation paragraph 14 of said Decree. C. Jouflas Pond, Greg Jouflas Pond, John Jouflas Pond, Miranda Pond, and Dry Lake: i. Original Decree: Case No. 91CW154, Water Division 5, February 10, 1992. Diligence Decrees were previously entered in Case No. 98CW29, Consolidated Case No. 04CW155, Case No. 12CW103, and Case No. 19CW3059 (Water Division 5). ii. Location: All following structures are located in T. 4 S., R. 83 W. of the 6th P.M. in Eagle County, Colorado:

STRUCTURE	SECTION	DISTANCE FROM SOUTH SECTION LINE	DISTANCE FROM EAST SECTION LINE
Jouflas Pond See Exhibits A-1 & A-2	28	4700	2050
Greg Jouflas Pond See Exhibit A-2	27	1900	3450
John Jouflas Pond See Exhibit A-2	16	3000	3250
Miranda Pond See Exhibit A-1	28	3050	1700
Dry Lake See Exhibit A-2	16	650	2600

iii. Source: Tributary to the Eagle River. The constructed ponds are filled as follows: (1) Dry Lake: local runoff and spring seepage. (2) Miranda Pond: Holland Creek (the pond is on channel). iv. Appropriation Date: August 15, 1991. v. Conditional Amounts and Uses: (1) Jouflas Pond: 37 acre-feet ("AF") conditional for domestic, livestock watering, fire protection, commercial, recreation, piscatorial, storage and wildlife uses. (2) Greg Jouflas Pond: 21 AF conditional for domestic, livestock watering, fire protection, commercial, recreation, piscatorial, storage and wildlife uses. (3) John Jouflas Pond: 22 AF conditional for domestic, livestock watering, fire protection, commercial, recreation, piscatorial, storage and wildlife uses. (4) Miranda Pond: 0.9 AF conditional for piscatorial, storage, livestock watering, recreation, fire protection, and wildlife uses (in Case No. 19CW3059, 4.1 AF of the Miranda Pond water right was made absolute for all decreed purposes). vi. Remarks: In Case No. 19CW3059, Dry Lake was decreed absolute in the amount of 20 AF for all decreed uses. D. Vail Spring Well Nos. 1, 2, 3, and 4: i. Original Decree: Case No. W-4013, Water Division 5, January 7, 1983. Diligence decrees were previously entered in Case Nos. 87CW026 A, B, C and D, 93CW019, 99CW81, Consolidated Case No. 04CW155, Case No. 12CW103, and Case No. 19CW3059 (Water Division 5). ii. Location: (1) Vail Springs Well No. 1 is located at a point in the SE $\frac{1}{4}$ of Section 15, T. 4 S., R.83 W. of the 6th P.M., from whence the SE Corner of said Sec. 15 bears S. 45°00' E., a distance of 85 feet. Also described as being located in the SE $\frac{1}{4}$ of Sec. 15, T. 4S, R. 83W of the 6th P.M. at a point 60 feet from the South Section Line and 60 feet from the East Section Line of said Section 15. See Exhibit A-2. (2) Vail Springs Well No. 2 is located at a point in the SE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 83 W. of the 6th P.M., from whence the SE Corner of said Sec. 15 bears S. 59°30' E., a distance of 740 feet. Also described as being located in the SE $\frac{1}{4}$ of Sec. 15, T. 4S, R. 83W of the 6th P.M. at a point 360 feet from the South Section Line and 640 feet from the East Section Line of said Section 15. See Exhibit A-2. (3) Vail Springs Well No. 3 is located at a point in the SE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 83 W. of the 6th P.M., from whence the SE Corner of said Sec. 15 bears S. 03°30' E., a distance of 700 feet. Also described as being located in the SE $\frac{1}{4}$ of Sec. 15, T. 4S, R. 83W of the 6th P.M. at a point 700 feet from the South Section Line and 50 feet from the East Section Line of said Section 15. See Exhibit A-2. (4) Vail Springs Well No. 4 is located at a point in the SE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 83 W. of the 6th P.M., from whence the SE Corner of said Sec. 15 bears S. 19°30' E., a distance of 1300 feet. Also described as being located in the SE $\frac{1}{4}$ of Sec. 15, T. 4S, R. 83W of the 6th P.M. at a point 1220 feet from the South Section Line and 450 feet from the East Section Line of said Section 15. See Exhibit A-2. iii. Source: Tributary to Eagle River. iv. Amount: 0.44 cfs for each well. v. Appropriation date is May 13, 1993. vi. Decreed Conditional Uses: Domestic, irrigation, municipal, commercial, fish and wildlife propagation, livestock watering, recreational and fire protection purposes. A substantial portion of Applicant's property has been annexed into the Eagle River Water & Sanitation District. The municipal use of the Vail Spring Well Nos. 1-4 may only be made absolute by or through a municipality. E. George Jouflas Spring Nos. 1 and 2: i. Original Decree: Case No. 93CW149, Water Division No. 5, November 8, 1993. Diligence decrees were previously entered in Case No. 99CW268, Consolidated Case No. 04CW155, Case No. 12CW103, and Case No. 19CW3059 (Water Division 5). ii. Location: (1) George Jouflas Spring No. 1 is located in Sec. 15, T. 4 S., R. 83 W., of the 6th P.M., at a point 350 feet West of the East Section line and 1550 feet North of the South Section line of said Sec. 15. See Exhibit A-2. (2) George Jouflas Spring No. 2 Jouflas Spring No. 2 is located in Sec. 15, T. 4 S., R. 83 W. of the 6th P.M., at a point 750 feet West of the East line and 1480 feet North of the South Section line of said Sec. 15. See Exhibit A-2. iii. Source: Springs tributary to an unnamed tributary of the Eagle River. iv. Appropriation Date: May 13, 1993. v. Amount: (1) George Jouflas Spring No. 1: 1.5 cfs, conditional. (2) George Jouflas Spring No. 2: 0.5 cfs, conditional. vi. Decreed Conditional Uses: Domestic, livestock, fire protection, commercial, recreation, piscatorial, storage and creation of 18 acres of wetlands. F. George Jouflas Pond: i. Original Decree: Case No. 93CW150, Water Division 5, November 8, 1993. Diligence decrees entered in Case No. 99CW269, Consolidated Case No. 04CW155, Case No. 12CW103, and Case No. 19CW3059 (Water Division 5). ii. Location: The point of storage is in Sec. 15, T. 4 S., R. 83 W. of the 6th P.M.; the center of the pond is at a point 600 feet West of the East Section line and 1700 feet North of the South Section line of said Sec. 15. See Exhibit A-2. iii. Source: George Jouflas Spring Nos. 1 and 2, tributary to the Eagle River. iv. Appropriation Date: May 13, 1993. v. Amount: 25 acre-feet. vi. Decreed Conditional Uses: Domestic, livestock, fire protection, commercial, recreation, piscatorial, storage, wildlife and wetlands creation. G. O.W. Spring: i. Original Decree: Case No. W-4008, Water Division No. 5, October 7, 1979. Diligence decrees were previously entered in Case Nos. 83CW208, 87CW177, 93CW168, 99CW270, Consolidated Case No. 04CW155, Case No. 12CW103, and Case No. 19CW3059 (Water Division 5). In Case No. 12CW103, the O.W. Spring water right was made absolute for in the amount of 0.044 cfs for domestic, commercial and irrigation uses. ii. Location: The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T. 4 S., R. 83 W. of the 6th P.M. at a point whence the NE Corner of said Sec. 22 bears N. 88°30' E. 3930 feet. Also described as being located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 22, T. 4S, R. 83W of the 6th P.M., at a point 190 feet from the North Section Line and 1340 feet from the West Section Line of said Section 22. See Exhibit A-2. iii. Source: Spring tributary to Holland Creek, tributary to the Eagle River. iv. Appropriation Date: September 28, 1978. v. Amount: 0.044 cfs. vi. Remaining Decreed Conditional Uses: Municipal, fish and wildlife propagation, and recreation. A substantial portion of Applicant's property has been annexed into the Eagle River Water & Sanitation District. The municipal use of the O.W. Spring may only be made absolute by or through a municipality. 5. Integrated System: Pursuant to the decrees in Consolidated Case No. 04CW155, Case No. 12CW103, Case No. 19CW3059, and various other decrees for the Jouflas water rights, the subject water rights are individual components of an integrated water system (including a number of springs, ponds, wells, ditches, and water supply plans) for Applicant's property. "When a project or integrated system is comprised of several features, work on one feature shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). 6. Detailed outline of work done towards completion of the appropriations and application of water to beneficial uses. During the most recent diligence period, Applicant has continued to take steps to diligently develop the conditional water rights including, without limitation, the activities described below. This list is not intended to be comprehensive and may be supplemented by additional evidence. A. Applicant has continually maintained, expanded and improved the ditches, diversion structures, and outlet works associated with the subject ponds and springs. Without limiting the foregoing, during the diligence period

Applicant has replaced several culverts, repaired outlet works, and cleaned out ponds, spillways and ditches associated with the subject water rights. B. Applicant has developed and maintained several of the subject ponds for piscatorial purposes, including periodic restocking as necessary to maintain fish populations. Applicant has used the stocked ponds as a commercial, daily-use fishing operation and/or has leased the ponds periodically for such uses. C. Applicant investigated the potential development of a well nontributary to the Eagle River, but tributary to the Colorado River near Burns, to serve domestic uses and to provide supplemental water supply for ponds on the western portion of Applicant's property including Dry Lake and John Joufflas Pond. D. Applicant has marketed and negotiated to sell certain land and water rights owned by Applicant which included water rights that are part of the integrated water supply system. E. Applicant and its attorneys monitored new water rights applications and activities of other appropriators and filed statements of opposition and participated in several water court proceedings in order to protect the water rights contained herein and the integrated system of which they are a part. F. Applicant has prosecuted applications for finding reasonable diligence and obtained water court decrees for other conditional water rights owned by Applicant that are components of the integrated system. G. Applicant engaged the services of water resources engineering consultants for advice with respect to the above-described activities and associated water rights matters. Without limiting the foregoing, Colorado River Engineering, Inc. conducted a water resources site investigation in August 2024 which included many of the water rights that are the subject of this application. H. In Case No. 21CW374, Water Division 5, Applicant adjudicated absolute and conditional water rights associated with the Vail Rod & Gun Club. Applicant also remodeled the Rod & Gun Club facilities and expanded its operations, including guided fishing and flyfishing lessons. I. Applicant obtained bids and developed conceptual plans for improvements to certain structures including Golden Pond and Miranda Pond. J. Applicant engaged the services of attorneys to provide legal advice in connection with the above-described activities and associated water rights matters. K. Total expenditure in time and money for all of the above work during the diligence period is difficult to estimate but is conservatively estimated to be in excess of \$75,000. 7. Name and address of owner of the land upon which any new diversion of storage structure, or modification to any existing diversion or storage structure is or will be constructed upon which water is or will be stored, including any modification to the existing storage pool: A. Applicant. B. Wyatt Well No. 782(8). Vail Corporation c/o The Fixed Assets Department, 390 Interlocken Crescent, Suite 1000, Broomfield, CO 80021. C. Wyatt Well No. 775(2): Steven M. Fischer and Paula M. Denissen, P.O. Box 276, Wolcott, CO 81655-0276. D. Vail Springs Well No. 2: Mervyn Lapin Revocable Trust, Mervyn Lapin Trustee, 232 W. Meadow Dr., Vail, CO 81657. Applicant respectfully requests that the Court enter a decree: (A) finding that Applicant has demonstrated reasonable diligence and continuing all remaining conditional water rights associated with the structures described herein in full force and effect; and (B) for such other relief as the Court deems just and proper.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

9. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3027 GARFIELD COUNTY. ROARING FORK RIVER OR ITS TRIBUTARIES, CHRISTIAN JOHN LEWIS, c/o Scott C. Miller, Esq. and John M. Sittler, Esq., Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION FOR UNDERGROUND WATER RIGHTS, STORAGE WATER RIGHT, CHANGE OF WATER RIGHT, AND APPROVAL OF PLAN FOR AUGMENTATION. Summary of Application: Applicant owns property at 4020 County Road 103, Carbondale, CO 81623. An exempt well, decreed as the John Mackie Well, currently serves the property, permitted as State Engineer's Office well permit no. 36583. Applicant wishes to use that well and obtain water rights for two additional wells on the property. Applicant requests underground water rights for two wells, a storage water right, a change of water right, and seeks approval of a plan for augmentation to augment all of the wells' out-of-priority depletions. First Claim: For Underground Water Right. Name of structure: Lewis Well No. 1. Legal description: The Lewis Well No. 1 is located in the NW ¼ NW ¼ of Section 18, Township 7 South, Range 88 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 4369099.4, Easting – 314125.4. A map is on file with the Court as Exhibit A. Source: Groundwater tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: March 31, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 15 g.p.m., conditional. Uses: Domestic and fire protection. Applicant owns the land on which the well will be located and where water will be put to beneficial use. Remarks: This well is currently permitted as well permit no. 268392. Applicant will re-permit the well after obtaining the decree in this case. Second Claim: For Underground Water Right. Name of structure: Lewis Well No. 2. Legal description: The Lewis Well No. 2 is located in the NW ¼ NW ¼ of Section 18, Township 7 South, Range 88 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 436914239, Easting – 314298.0. A map is on file with the Court as Exhibit A. Source: Groundwater tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: March 31, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 15 g.p.m., conditional. Uses: Domestic and fire protection. Applicant owns the land on which the well will be located and where water will be put to beneficial use. Remarks: This well is currently permitted as well permit no. 268393. Applicant will re-permit the well after obtaining the decree in

this case. Third Claim: For Storage Water Right. Name of structure: Lewis Augmentation Tank. Legal description: The Lewis Augmentation Tank is located in the NW ¼ NW ¼ of Section 18, Township 7 South, Range 88 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 4368991.0, Easting – 314175.0. A map is on file with the Court as Exhibit A. Source: Cattle Creek, via the Needham Ditch, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: March 31, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 0.20 acre-feet, conditional. Uses: Augmentation. Applicant owns the land upon which the water right will be located and where water will be placed to beneficial use. Fourth Claim: For Change of Water Right. Name of structure: Needham Ditch. Description of water right: A total of 27.3 c.f.s. as described in the table included in the application on file with the Court. Description of point of diversion: The Needham Ditch headgate is located on the south bank of Cattle Creek in the NW ¼ SW ¼, Section 10, Township 7 South, Range 87 West, 6th P.M., at a point 2,250 feet from the South line and 1,050 feet from the West line. Source: Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Amount of water Applicant intends to change: 1.43 c.f.s. Detailed description of proposed change: Applicant owns 147 shares in the Needham Ditch Company, equivalent to 5.23 percent of the total Needham Ditch water rights, or approximately 1.43 c.f.s. These shares have historically been used to irrigate approximately 44.4 acres on Applicant's property, depicted on the map on file with the Court as Exhibit B. Applicant requests a change in use of the Needham Ditch water from irrigation to irrigation and storage to fill the Lewis Augmentation Tank, as described above. Applicant will use the changed water right when the Lewis Augmentation Tank is in priority. When there is a downstream call affecting the Lewis Augmentation Tank, Applicant will dry up, during the month of May, approximately 1.15 historically irrigated acres on Applicant's property, or approximately 2.5 percent of Applicant's total historic irrigation. The dry-up will occur within the area depicted on the map on file with the Court as Exhibit B. Applicant's engineer has determined that up to 0.045 c.f.s. of water was historically used to irrigate the 1.15 acres of land being dried up during the month of May. The dry-up results in a consumptive use credit of 0.20 acre-feet per year. A summary of the HCU analysis is on file with the Court as Exhibit C. Applicant requests a change in use of this Needham Ditch water from irrigation to irrigation and augmentation. The HCU credits will be stored in the Lewis Augmentation Tank, applied for above, and released into a recharge structure to replace out-of-priority depletions from the Lewis Well Nos. 1 and 2, applied for above, and the John Mackie Well. Historical return flow will remain unchanged. Applicant will only divert and store in the Lewis Augmentation Tank the 0.20 acre-feet of HCU credits. The return flow component of that water right will continue as surface runoff or additional deep percolation on the remaining irrigated lands on Applicant's property. Applicant will employ accounting measures and install measuring devices as required by the Division Engineer to ensure that this change of water right will not result in an expansion of historical use of the amount of water changed. Fifth Claim: For Approval of Plan for Augmentation. Name and description of structures to be augmented: Lewis Well No. 1, Lewis Well No. 2, and John Mackie Well, described as: Date of original decree: March 16, 1973, Case No. W-1134, Division 5 Water Court. Legal description: As corrected in Case No. 94CW4, Division 5 Water Court: A point in Lot 13, Sec. 18, T. 7 S., R. 87 W. of the 6th P.M. whence the NW Corner of said Sec. 18 bears No. 52°50' W. a distance of 1400 feet. A map is on file with the Court as Exhibit A. UTM NAD83 Z13: Northing – 4369147.7, Easting – 314409.3. Source: Groundwater tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: February 5, 1969. Amount: 0.033 c.f.s., absolute. Uses: Domestic, irrigation, and livestock watering. Water rights to be used for augmentation: 0.20 acre-feet of Needham Ditch HCU credits, as released from the Lewis Augmentation Tank. Complete statement of plan for augmentation: Background: Applicant is in the process of developing his property to include two single-family homes and two accessory dwelling units ("ADUs"). The property is currently served by an exempt well, the John Mackie Well permitted as well permit no. 36583. The John Mackie Well, in combination with the Lewis Well Nos. 1 and 2 will serve these uses. Water requirements: The wells described above will serve a total of two single-family homes and two ADUs. Applicant's engineer assumed that each single-family home will use 350 gallons per day and each ADU will use 200 gallons per day, for a total cumulative demand of 1,100 gallons per day. These demands are shown on Table 1 on file with the Court. Applicant's engineer estimated the annual total demand as 1.27 acre-feet. Applicant will use non-evaporative septic tank and leachfield wastewater disposal systems which result in 90 percent of all in-house water deliveries being returned to the stream. Thus, the total annual depletions from the wells will be ten percent or 0.127 acre-feet as shown on Table 1. The Lewis Augmentation Tank will fill up to 0.20 acre-feet every May from Cattle Creek via the Needham Ditch. The tank will either fill in priority or using the Needham Ditch HCU credits as described above. The wells and individual on-site wastewater disposal systems are located approximately 5,000 feet from Cattle Creek. The depletions and return flows have a similar lag time for depletions and accretions to Cattle Creek, as shown on Exhibit D. Applicant's engineer utilized the Glover methodology to determine the timing of lagged diversions and accretions. Thus, diversions and return flows can be balanced at the property to determine monthly depletions. Replacement of depletions by release of water stored in the Lewis Augmentation Tank will be made to offset depletions in time and amount. Call operation: Downstream calls on the Colorado River and local calls on Cattle Creek can occur from April through November. Due to the long lagging time and source for replacement, Applicant will replace all well depletions through releases from the Lewis Augmentation Tank to an exfiltration/recharge gallery. Applicant will replace all depletions on a monthly basis to account for depletions that will impact the stream at some future point in time. Thus, there will be no net depletion to Cattle Creek. This will prevent injury to other vested water rights. Table 2 shows operation of the augmentation plan confirming that the volume of the Lewis Augmentation Tank is sufficient to make the required releases. The Lewis Augmentation Tank will release up to 0.127 acre-feet per year to fully replace all depletions from the Lewis Well Nos. 1 and 2 and the John Mackie Well. Applicant owns the land on which the augmented water rights are located and where the water is and will be placed to beneficial use.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's

attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

10. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW5 MESA COUNTY-UNNAMED SPRING TO LITTLE CREEK TRIBUTARY TO PLATEAU CREEK TRIBUTARY TO THE COLORADO RIVER. Pamela Wilkerson; P.O. Box 551; Collbran, CO 81624 (970)361-7469 Containment Pond-Application for Absolute Water Rights (Surface). Location: UTM: E248087.08350 N4339155.89719 Z13; NE1/4NE1/4 of Sec. 30, T.10S., R.94W. of the 6th P.M. Appropriation: July 2008. Amount: 10.0 g.p.m., absolute. Uses: Primary use is as a water source for wildlife and livestock. Extra spring water may be used to water trees and grass. A historical outline of work performed to put the water to beneficial use is included in the application.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

11. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW6 ROUTT COUNTY – SPRING TRIBUTARY TO RED DIRT CREEK TRIBUTARY TO THE COLORADO RIVER. Jeramiah Fuchs; P.O. Box 776; Oak Creek, CO 80467; (970)846-2137. Dorris Spring-Application for Conditional Water Rights (Surface). Location: UTM: E349815 N4424281 Z13; NW1/4SW1/4 of Sec. 24, T.1S., R84W. of the 6th P.M. Appropriation: 8/15/2025. Amount: 15.0 g.p.m., conditional. Uses: single-family home domestic, livestock watering and irrigation.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

12. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW7 (19CW3102) GARFIELD COUNTY – OASIS CREEK TRIBUTARY TO THE COLORADO RIVER. Thomas A. Zancanella, P.E.; Zancanella & Associates, Inc.; P.O. Box 1908; Glenwood Springs, CO 81602 (970)945-5700. Oasis Creek Lower Spring-Application for Findings of Reasonable Diligence. Location- The water will be diverted either at the headgate of the Gilmore Ditch which is located on the left bank of Oasis Creek 6/10th of a mile above the mouth of said creek where it empties into the Colorado River, at a point which bears N 62°28' W. 371 feet from the SE corner of Sec. 35, T5S, R89W of the 6th P.M. or at an alternate point of diversion on the west bank of Oasis Creek at a point whence the SW corner of Sec. 36, T5S, R89W of the 6th P.M. bears S 06°30' W 1,225 feet. Appropriation-12/30/1983. Amount- 0.1 c.f.s. conditional for domestic and irrigation and 0.2 c.f.s. conditional for commercial purposes. Uses: Irrigation, domestic and commercial purposes. An outline of work performed during the diligence period is included in the application.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.